

## **EXHIBIT 16**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**DAVID LEE WOMACK  
VS.  
HARLEY LAPPIN, et al.**

**Case No. 1:CV-06-2348**

**VOLUME 1**

**VIDEOTAPED DEPOSITION OF DAVID LEE OWENS WOMACK, III**

**JUNE 24, 2010**

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**NATIONWIDE SCHEDULING**

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**DAVID LEE OWENS WOMACK, III 6/24/2010**

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1IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

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4DAVID LEE WOMACK, )  
Plaintiff, )  
vs. ) Case No. 1:CV-06-2348  
HARLEY LAPPIN, et al., )  
Defendants. )

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11

12VOLUME 1

13

14

15VIDEOTAPED DEPOSITION OF DAVID LEE OWENS WOMACK, III

16

17Taken on Thursday, June 24, 2010

18At 11:22 o'clock a.m.

19At U.S. Medical Center, 1900 West Sunshine Street

20Springfield, Missouri

21

22

23

24

25REPORTED BY: PAULA C. VOYLES, CCR, RPR, CRR

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4WITNESS Page

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12(No Exhibits)

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1PROCEEDINGS

2

3THE VIDEOGRAPHER: My name is Amanda Lau. I

4am employed by the Department of Justice at the U.S.

5Attorney's Office at 228 Walnut Street, Harrisburg, PA.

6I am currently located at this address and

7will be videotaping this deposition using our office

8video teleconference system.

9Today is Thursday, June 24th, 2010, and it is

1012:23 Eastern Standard Time. The attorneys and

11deponent in this case are presently located at the

12United States Medical Center of Federal Prisons,

13USMCFP, in Springfield, Missouri.

14The deposition is being taken on behalf of

15the defendants in the case of Womack versus Smith, et

16al., 06-CV-2348, in the Middle District of

17Pennsylvania.

18Will the court reporter please identify

19yourself?

20THE COURT REPORTER: Paula Voyles.

21MR. BUTLER: Would you please identify your

22identify your employer.

23THE COURT REPORTER: Midwest Litigation

24Services.

25MR. BUTLER: Would you swear the witness in?

<p style="text-align: right;">Page 33</p> <p>1 <b>Q. (By Mr. Butler) Sign anything. If</b>  2 <b>somebody asked you to sign something, you'd be able to</b>  3 <b>write your signature?</b>  4 A. Yes.  5 <b>Q. Who is Eleanor Holmes?</b>  6 A. Congress.  7 <b>Q. Have you ever written her?</b>  8 A. I cannot write. I don't understand.  9 <b>Q. Has anyone written on your behalf to</b>  10 <b>her?</b>  11 A. Yes.  12 <b>Q. Okay. And who has written to her on</b>  13 <b>your behalf?</b>  14 A. First inmate I had at Lewisburg when I  15 came out of ambulatories.  16 <b>Q. And who was that?</b>  17 A. Pratt.  18 <b>Q. What was the first name?</b>  19 A. I just know him by Pratt.  20 <b>Q. Any other inmates write Eleanor Holmes</b>  21 <b>for you?</b>  22 A. Yes.  23 <b>Q. Who?</b>  24 A. Ubay (phonetic).  25 <b>Q. Ubay? E-U-B-A-Y or U-B-A-Y?</b></p>	<p style="text-align: right;">Page 35</p> <p>1 A. Yes.  2 <b>Q. Who has she met?</b>  3 A. I believe my grandmother.  4 <b>Q. What's your grandmother's name?</b>  5 A. Sylvia Patricia Steele.  6 <b>Q. Anyone else that she met?</b>  7 A. I think my mother.  8 <b>Q. What's your mother's name?</b>  9 A. Gail Collins.  10 <b>Q. And why did they meet Eleanor Holmes, as</b>  11 <b>far as you know?</b>  12 A. Because I was being tortured by  13 Lewisburg.  14 <b>Q. So they've had a meeting with</b>  15 <b>Congresswoman Holmes about your case about the</b>  16 <b>restraints?</b>  17 A. I don't know if it was about the  18 restraints specific, but about what was being done to  19 me.  20 <b>Q. When you say "tortured," define what you</b>  21 <b>mean by "torture."</b>  22 A. Any time you do something to somebody  23 against their will that cause them mental, spiritual,  24 or physical pain.  25 <b>Q. How did anyone in this case do what you</b></p>
<p style="text-align: right;">Page 34</p> <p>1 A. I don't know.  2 <b>Q. Is that from Lewisburg or somewhere</b>  3 <b>else?</b>  4 A. No. It's from New Jersey.  5 <b>Q. And how do you know Eleanor Holmes?</b>  6 A. How did I first come to know who she  7 was?  8 <b>Q. Yes, sir.</b>  9 A. An inmate gave me her name.  10 <b>Q. And where is she located? She's</b>  11 <b>somebody in Congress?</b>  12 A. She's a congressperson.  13 <b>Q. From where?</b>  14 A. Washington, D.C.  15 <b>Q. From where you grew up?</b>  16 A. I was born in D.C., but I didn't grow up  17 all 100 percent in D.C.  18 <b>Q. Whereabouts? What neighborhood does</b>  19 <b>Eleanor Holmes represent? Do you know? Is she a</b>  20 <b>representative of the neighborhood that you are</b>  21 <b>familiar with?</b>  22 A. No.  23 <b>Q. Does she know your family?</b>  24 A. Define "know."  25 <b>Q. Has she ever met them?</b></p>	<p style="text-align: right;">Page 36</p> <p>1 <b>just defined as torture to you?</b>  2 A. Are you asking me how do I know that  3 they knew that?  4 <b>Q. No. You're right. That was a bad</b>  5 <b>question. Let me rephrase that.</b>  6 <b>How -- let's take it back. You define</b>  7 <b>"torture" again. Tell me your definition of "torture"</b>  8 <b>again.</b>  9 A. If you do something against someone will  10 that cause them physical, mental, or spiritual pain.  11 <b>Q. Okay. Has the warden, Joseph Smith,</b>  12 <b>done something against your will that's caused you</b>  13 <b>physical, emotional, or spiritual pain?</b>  14 A. Yes.  15 <b>Q. What has he done?</b>  16 A. Put me in ambulatories for no reason.  17 <b>Q. What else has he done?</b>  18 A. He gave a order for his staff members to  19 continue doing what he ordered them to do, which is  20 keep me in ambulatories.  21 <b>Q. What else?</b>  22 A. What else did he do?  23 <b>Q. Mm-hmm.</b>  24 A. Come to my door and threaten me  25 verbally.</p>

9 (Pages 33 to 36)

<p style="text-align: right;">Page 37</p> <p>1 <b>Q. How was that against your will to cause</b>  2 <b>you physical, emotional, spiritual pain?</b>  3 A. Because he gave an order for me to stay  4 in ambulatories, until he says otherwise. And by me  5 being in ambulatories, and the way in which they put  6 them on me, they was clamped all the way tight on me  7 until they cut my circulation off. They was digging  8 into my skin, opening up wounds, opening up my flesh.  9 I was bleeding. I couldn't lay flat comfortably, or  10 where I wasn't in pain. I couldn't move an inch  11 without the restraints constantly cutting into me.  12 I had to pray, sing songs, think about  13 movies, do anything I could to remove my mind from the  14 physical pain I was in.  15 <b>Q. Okay. And what else? What else has he</b>  16 <b>done to cause you -- against your will to cause you</b>  17 <b>physical, emotional, spiritual pain?</b>  18 A. That he continually repeated that by  19 leaving me in them for long periods of time.  20 <b>Q. I think we covered the he ordered you to</b>  21 <b>be in ambulatories, and he required you to continue to</b>  22 <b>be in it. But is there anything else that he did that</b>  23 <b>would meet your definition of "torture"?</b>  24 A. Yeah. He came into my cell. The only  25 way I can answer this is to say, if I come to you now</p>	<p style="text-align: right;">Page 39</p> <p>1 <b>Q. Okay. So is that it? That's it; right?</b>  2 A. Is that all that he did?  3 <b>Q. Yes.</b>  4 A. Yeah. He just basically said -- his  5 actions, verbal and physical, basically let me know he  6 didn't care.  7 <b>Q. Okay. Now, how about the -- this</b>  8 <b>individual's name is Scott Dodrill. Do you know who</b>  9 <b>that is?</b>  10 A. No. Not by that name.  11 <b>Q. Okay. Do you know the regional</b>  12 <b>director? Let's go by a title. The regional director.</b>  13 <b>What did the regional director do to you?</b>  14 A. It's what he didn't do.  15 <b>Q. So did he torture you?</b>  16 A. Yes. He allowed me to be tortured.  17 <b>Q. And how so?</b>  18 A. Due to his -- his rank or authority over  19 top of the people that was doing the whoopin', so  20 forth. By him not telling him to cease from what they  21 was doing, and he had knowledge of it, that tells me  22 that he didn't see no wrong in what they was doing,  23 when he should have.  24 <b>Q. Okay. Anything else that would meet</b>  25 <b>your criteria of torture, your definition of "torture,"</b></p>
<p style="text-align: right;">Page 38</p> <p>1 and I put you in ambulatories, and you know what I'm  2 doing to you is wrong, you know that what I'm doing is  3 wrong, and I said, "You're going to remain in these,"  4 that mean I'm letting you know mentally this is what we  5 going to do.  6 That's no different than me kidnapping you,  7 and not knowing whether I'm going to kill you or not.  8 So mentally you're suffering, you're worrying. So  9 that's torture.  10 Spiritually you're torturing, because now  11 you're seeking, is your God allowing this to happen?  12 How you supposed to come to peace with it? Do you  13 fight back? Do you submit and say, "Well, Lord it's in  14 your hand." So that's the mental, spiritual torture.  15 And the physical is that you're suffering  16 because you've been restricted, and then your body  17 going through un -- different changes, meaning the  18 wounds are opening up, and then they kinda dry up after  19 so many hours. But then the least move you make, it  20 opens the wound up even more. So then you got to feel  21 that pain in the morning, that burning.  22 Then you can't lay down. Then the officers  23 coming in the cell, slamming you, taunting you verbal.  24 All this through the direct order of the warden.  25 So that's why I said that.</p>	<p style="text-align: right;">Page 40</p> <p>1 <b>that the regional director, D. Scott Dodrill, would do?</b>  2 <b>Anything else?</b>  3 A. Only way I could answer that to  4 hopefully make it clear to you, the way I look at it is  5 if I come in this room and see someone physically doing  6 harm to you, and I turn around, walk away, then I'm  7 doing just as much harm as that person that's  8 physically doing it to you because I'm not trying to  9 assist them from hurting you.  10 <b>Q. All right. But how about anything else?</b>  11 <b>Did he do anything else to you?</b>  12 A. That in itself.  13 <b>Q. Okay. So that was it?</b>  14 A. By him not telling the warden and any  15 other person that was allowing me to be in the  16 ambulatories and suffer like I was to stop, to me he's  17 doing just as much as what they doing, because he have  18 the authority to tell them to stop, whether they have  19 the intelligence to do it or not.  20 And then when I filed the system 10, I was  21 told that I couldn't do that. But BOP policy says you  22 can.  23 <b>Q. How about Kenneth Gabrielson? He was</b>  24 <b>the lieutenant of the SHU at the time; is that right?</b>  25 A. Yes.</p>

10 (Pages 37 to 40)

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1 A. When my mother -- I asked my mother,  
 2 "What is this on my neck?" Since I've been living, I  
 3 don't know how I got it. And she said, "You got burned  
 4 by boiling water and you received cuts. The doctor  
 5 says it's called a kelo." It comes from a cut that  
 6 heals a lump above the skin.  
 7 **Q. Okay. Say that word slowly.**  
 8 A. Kelo.  
 9 **Q. Okay. So you had a kelo on your wrists?**  
 10 A. No. I got -- I had open wounds --  
 11 **Q. Open wounds?**  
 12 A. -- in both wrists, and my arm, my  
 13 ankles.  
 14 **Q. Now, the size of the wound that you had**  
 15 **at the time when you were in restraints, is it the size**  
 16 **of that mark you have on your wrist, or was it deeper?**  
 17 **Was it smaller?**  
 18 A. It was -- you could see the white of my  
 19 meat, and it was bleeding, and it smelled foul.  
 20 **Q. How big was it on your wrist?**  
 21 **My wrist is skinny, so I can't really use my**  
 22 **wrist as a guide. But was it wide? Was it narrow? Or**  
 23 **was it just that same size that you got right there**  
 24 **(indicating)?**  
 25 A. Well, I don't know how -- if it healed

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1 the same size or if it was -- 'cause you can be cut and  
 2 be -- it can be deeper or open wide, but when it heal,  
 3 it have a small healed area.  
 4 **Q. So was it bleeding constantly?**  
 5 A. Yeah. 'Cause the handcuffs remained  
 6 down inside it. So every time I move, the handcuff  
 7 would lift up a little bit and hit the sides like  
 8 constantly.  
 9 **Q. So did you have blood dripping down your**  
 10 **hands?**  
 11 A. Nah. I had blood around my wrists.  
 12 **Q. And was that dripping off your wrists?**  
 13 A. Yeah. Blood, and I don't know the legal  
 14 term for the word. Liquid, like pus, or whatever you  
 15 call it.  
 16 **Q. I don't think there is a legal word for**  
 17 **it. You mean the medical term for it?**  
 18 A. Yes. I can just describe it. I don't  
 19 know what you would properly call it.  
 20 **Q. What does it look like?**  
 21 A. It was like grayish-white. I don't  
 22 know. Only thing I know to describe is like blood,  
 23 pus.  
 24 **Q. And so this was coming -- was it coming**  
 25 **out like -- you know, if you cut shaving, it comes out**

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1 **pretty fast; right?**  
 2 A. Right.  
 3 **Q. Was it coming out like that?**  
 4 A. At times. Whenever the -- whenever  
 5 the -- when it first started, no. But then over a  
 6 course of time it got more -- I don't know if the  
 7 proper word is open or deeper or what. But by the  
 8 handcuff constantly going in it, it was causing me pain  
 9 because I couldn't remove the handcuff from that area.  
 10 So it was constantly being -- I don't know  
 11 whatever the word is to describe it. But it is like  
 12 you got a cut. Instead of healing it or putting  
 13 something on it, you constantly sticking an object in  
 14 it, just keep on opening it up and keep causing it to  
 15 bleed, and other fluids running out of it.  
 16 **Q. Did you feel nauseous because of this**  
 17 **injury that you had?**  
 18 A. I can't say I feel nauseous because if  
 19 it was the injury or just all that I was going through.  
 20 **Q. Did you think you lost a lot of blood?**  
 21 A. I don't know what would define "a lot."  
 22 **Q. Well, what would you define as "a lot"?**  
 23 A. My blood, period.  
 24 **Q. So was there a puddle of blood on the**  
 25 **floor?**

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1 A. No.  
 2 **Q. So it wasn't that much blood that would**  
 3 **go on to the floor?**  
 4 A. Yeah. It dropped on the boxers that I  
 5 had on, so I'm quite sure I had little spots on the  
 6 floor.  
 7 **Q. Just a few spots? Not stains, blood**  
 8 **stains?**  
 9 A. Well, I guess if it dropped, that would  
 10 lead to it being a stain. So I don't. . .  
 11 **Q. You had stains on your boxer shorts? Is**  
 12 **that what you're saying?**  
 13 A. Yeah. Because I was moving, trying to  
 14 move the handcuff. And in the process, you know,  
 15 either from it coming directly from that, or being on  
 16 like this part of the handcuffs (indicating), it got on  
 17 my boxers or got on the sheet. I can't say if it fell  
 18 directly from that to the floor, or directly from that  
 19 on the sheet, or directly from that on my boxers, or it  
 20 being on the handcuffs and rubbed against my boxers, or  
 21 rubbed against the sheet, 'cause I wasn't like focused  
 22 on that, like constantly locked in on that.  
 23 **Q. How many times did you ask Lieutenant**  
 24 **Gabrielson for medical assistance that was denied?**  
 25 A. Twice.

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1 IN THE UNITED STATES DISTRICT COURT  
2 FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

3

4 DAVID LEE WOMACK, )  
5 )  
6 Plaintiff, )  
7 )  
8 vs. ) Case No. 1:CV-06-2348  
9 )  
10 HARLEY LAPPIN, et al., )  
11 )  
12 Defendants. )

13

14 VOLUME 2

15 VIDEOTAPED DEPOSITION OF DAVID LEE OWENS WOMACK, III

16

17 Taken on Friday, June 25, 2010  
18 At 8:14 o'clock a.m.  
19 At U.S. Medical Center, 1900 West Sunshine Street  
20 Springfield, Missouri

21

22

23

24

25 REPORTED BY: PAULA C. VOYLES, CCR, RPR, CRR

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11 1 Document Bates Labeled Womack 0007 214

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14 4 Various Bates labeled documents 250

15 (No Exhibit No. 5 presented)

16 6 Interrogatories/Answers to 294

17 Interrogatories

18 (The original exhibits are attached to the original

19 transcript, and copies provided to all counsel.)

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1 PROCEEDINGS

2

3 THE VIDEOGRAPHER: Okay. Today is Friday,

4 June 25th, at 9:15 Eastern Standard Time. This is

5 segment two of the deposition.

6 MR. BUTLER: Of David Lee Womack; correct?

7 THE VIDEOGRAPHER: Correct.

8 MR. BUTLER: Thank you.

9 THE VIDEOGRAPHER: Womack v. Smith.

10 MR. BUTLER: You can give the docket.

11 I'll give the docket.

12 THE VIDEOGRAPHER: Okay. 06 --

13 MR. BUTLER: 2348.

14 Thank you, Amanda.

15 THE VIDEOGRAPHER: You're welcome.

16

17 Whereupon

18 DAVID LEE OWENS WOMACK, III

19 having been previously duly sworn, was examined and

20 testified as follows:

21 EXAMINATION (Continued)

22 Q. (By Mr. Butler) Mr. Womack, we are back

23 on the record. You understand that you are still under

24 oath from yesterday?

25 A. Yes.

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1 court line in my life concerning Gabrielson was when I  
 2 was in the ambulatories in ADX cell, when Gabrielson  
 3 said I took my hand and went across my throat, saying I  
 4 was going to cut his head off. That's the only time I  
 5 ever went.  
 6 And I believe that day was like on the  
 7 20th or something that Gabrielson wrote me up saying  
 8 that I tried to cut his head off. But then in the  
 9 write-up, he said he was aware that I wasn't talking to  
 10 nobody in the institution as far as staff for like two  
 11 weeks. And that same doctor represented me as my staff  
 12 rep.  
 13 So it's like you putting two together. Like  
 14 that incident; me saying, if I'm standing here, that I  
 15 went to court line. And they never found me guilty for  
 16 assault, it couldn't be assault.  
 17 **Q. All right. Go to -- okay. Turn the**  
 18 **page.**  
 19 A. (Complying).  
 20 **Q. Did you ever see the next two pages**  
 21 **before?**  
 22 A. Next two?  
 23 **Q. Yeah.**  
 24 A. I can't say I have 'cause I don't know  
 25 what it is. It's something that's typed on it, though.

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1 **Q. Did you ever see anything similar to**  
 2 **this?**  
 3 A. How would I know that? That's like you  
 4 grabbed something right there and say --  
 5 **Q. Turn the page. Turn the page. When is**  
 6 **it dated?**  
 7 **No, no, no. You're on the right page.**  
 8 **When is this dated?**  
 9 A. Fourth month, the first of the month,  
 10 '05.  
 11 **Q. And do you recognize whose signature**  
 12 **that is?**  
 13 A. No.  
 14 **Q. Turn the page. Do you recognize the**  
 15 **next page?**  
 16 A. There's another grievance form, like a  
 17 PP9.  
 18 **Q. Who wrote this?**  
 19 A. I can't tell from the -- 'cause the way  
 20 they xeroxed, I don't know if these lower lines that I  
 21 would make, or if that's just something from it being  
 22 xeroxed.  
 23 **Q. Do you have the original of this**  
 24 **document?**  
 25 A. I don't have no legal documentation from

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1 what happened in Lewisburg to me.  
 2 **Q. Do you know whose handwriting that is?**  
 3 A. I can't even tell if it's my  
 4 handwriting. But if there -- I can see the signature  
 5 right here. That look like my name right here. I  
 6 wrote this right here (indicating).  
 7 **Q. So you say you believe you did write**  
 8 **this?**  
 9 A. No. I'm saying that look like my  
 10 handwriting, signed right here (indicating). Print.  
 11 In print. Looks like something how I write. But I  
 12 can't see the name up here, and I can't really make out  
 13 the letters, the form of the letters. I know what  
 14 letters they are, but I can't --  
 15 **Q. You can't tell whether or not you wrote**  
 16 **that?**  
 17 A. Yeah. Because the way it's xeroxed,  
 18 it's like. . .  
 19 **Q. If you had the original, would that be**  
 20 **easier to read?**  
 21 A. I can tell you the letters on here. I  
 22 can see some of the letters on here. I see F, U, or F,  
 23 O, R, T. Like H. No, that's F, U, R, T, H, E, R.  
 24 **Q. I'm going to ask you to speculate.**  
 25 **Do you believe if you had the original copy**

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1 **of this, you'd be able to read to see if it was your**  
 2 **handwriting?**  
 3 A. I should, if I had the original. I  
 4 should.  
 5 **Q. All right. Turn to the next page.**  
 6 A. (Complying).  
 7 **Q. Did you ever see this document before?**  
 8 A. I don't know what it is.  
 9 **Q. Did you ever see anything similar to it?**  
 10 A. I can't say I has or I haven't.  
 11 **Q. Has the region ever responded to any of**  
 12 **your administrative grievances?**  
 13 A. Directly to me?  
 14 **Q. Mm-hmm.**  
 15 A. I know as soon as I got in the cell with  
 16 Pratt, Tim Tim said -- I asked the case manager for a 8  
 17 and a 9. He said, "I don't have those." And Tim Tim  
 18 say, "No, Womack, because you filing against the  
 19 warden, you file an Assistive 10."  
 20 So I filed Assistive 10, and that came back  
 21 instructing me that I got to start from the 8 on up.  
 22 So if that came from the regional, yeah. But I tore  
 23 that up, though. And that's when I waited to get the  
 24 8.  
 25 **Q. Did you -- do you recognize this -- have**



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1 It is clearly written on my incident report by UDC team  
 2 that I requested for the camera on the tear of date  
 3 12-9-04 to be seized as evidence. I spoke to SIS  
 4 officer on 1-5-04 while in cell 229. I showed him the  
 5 incident report were I requested for the camera, and he  
 6 said that he had seen the tape and didn't see me  
 7 assaulting anyone.  
 8 "At my disciplinary hearing, DHO Buck told me  
 9 that there was no camera to be looked at, which is  
 10 breaking BOP policy. I have a right for the camera  
 11 used during my hearing as evidence which he denied me  
 12 to further try to" -- something scratched out -- "cover  
 13 up what Lieutenant Gabrielson lied about Mrs. Norton.  
 14 "On 2-7-05 I sent a sensitive BP-9 to the  
 15 regional office and have reason to believe that it did  
 16 not get there do to me attempting to send many letters  
 17 to my family about the wrong" -- something -- "was done  
 18 to me which I" -- something -- "received any responds  
 19 from my family in months on" -- I can't make that out.  
 20 A. That's what I was telling you earlier  
 21 about when I took the pills in the regular SHU.  
 22 **Q. "Each copy of legal letter that my**  
 23 **lawyer Matthew M. Robinson --"**  
 24 A. That's the law firm I told you I spent  
 25 the 24,000, but I didn't want a celly.

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1 **Q. -- "313-381-8033 facsimile, directed it**  
 2 **attention to warden" -- I can't make that out -- "about**  
 3 **them not hearing from me in months. Please assist me**  
 4 **in sending sensitive BP-10 to the regional office,**  
 5 **because you have made it clear to me in the past that I**  
 6 **must file all necessary remedy when wrong is being done**  
 7 **to me. And I believe that they" haven't -- "they have**  
 8 **not" -- I can't make that out.**  
 9 **"It is clear to me that the warden is trying**  
 10 **to cover up the wrong that has been done to me for I**  
 11 **know -- as I'm sure you know that BOP policy states**  
 12 **that an inmate is only supposed to be placed**  
 13 **ambulatories when he poses a threat to himself or**  
 14 **others. So" -- I can't read that -- "was I wrongfully**  
 15 **left in ambulatory for 26 days straight. When you**  
 16 **write me back, please send me a copy of things I've**  
 17 **sent" -- I can't say that -- "K-I-M-A." I don't know**  
 18 **what that means.**  
 19 **Next page is a copy, left to right -- what's**  
 20 **the word I'm looking for?**  
 21 **Next page is 00243. "It has not been tapered**  
 22 **with. Thanks for your time and concern. God bless and**  
 23 **hope to hear from you soon.**  
 24 **"Here is the address to the regional office."**  
 25 **Do you remember writing this or asking**

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1 **someone to write this to Congresswoman Norton?**  
 2 A. Yes.  
 3 MR. HEWITT: I just want to clarify for the  
 4 record that you stated it was a BP-9 and not a BP-10  
 5 about midway down the second page of this letter.  
 6 MR. BUTLER: It said "sent a sensitive BP-9"?  
 7 Did I say that?  
 8 MR. HEWITT: Yeah. You said BP-9.  
 9 **Q. (By Mr. Butler) BP-10. I apologize.**  
 10 A. That's the one I told you I -- one of  
 11 the records that I sent.  
 12 **Q. You sent the Congresswoman Norton a**  
 13 **BP-10 on 2-14-05?**  
 14 A. If this, what you just read, says I sent  
 15 to it to her, then that mean I sent a copy of the -- I  
 16 don't know if I actually sent a BP-9.  
 17 Yeah, I do remember sending her BP-9 or  
 18 BP-10, asking her -- yeah, I do remember sending it to  
 19 her, asking her to mail it off to them.  
 20 **Q. So would you agree that as of 2-14-05,**  
 21 **you had a BP-10 that you could send Congresswoman**  
 22 **Norton?**  
 23 A. You saying of that date?  
 24 **Q. Yeah. As of that date, isn't it true,**  
 25 **if you sent her a BP-10 on 2-14, that you had it as**

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1 **early as 2-14-05?**  
 2 A. Yeah. I got -- I came out the ADX cell  
 3 on the 4th. That's the same day the case manager on  
 4 the tier. I moved in Celly Pratt. Tim Tim across.  
 5 Asked for a 8 and a 9. He said he didn't have it.  
 6 Then Tim Tim say, "Nah, Womack. You filing against the  
 7 warden, you can file a sensitive 10."  
 8 I said, "I don't know what that is. He said,  
 9 "You can go straight to the region."  
 10 I asked the case manager, who still in front  
 11 of my cell 410. Then I told Pratt. Pratt wrote it  
 12 out, and I mailed it off that following week. That  
 13 Wednesday or Tuesday, next week, I gave it to the case  
 14 manager.  
 15 **Q. So based on Tim Tim's advice, you**  
 16 **requested the BP-10?**  
 17 A. Yeah. And then when I got the 10 back,  
 18 the region, if that's who responds, instruct me that I  
 19 had -- that they were not going to accept it because I  
 20 didn't do it the right way. I got to start from the 8.  
 21 So I tore it up. And Tim say, "You should have never  
 22 tore that up. You should have kept that."  
 23 **Q. Go to page 103. I'm not going to read**  
 24 **this entire thing.**  
 25 A. 103?